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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,461	03/07/2001	Lydia Breck	03292.101070	3738
66569 7590 10/16/2008 FITZPATRICK CELLA (AMEX) 30 ROCKEFELLER PLAZA NEW YORK, NY 10112				
EXAMINER				
WINTER, JOHN M				
ART UNIT		PAPER NUMBER		
3685				
MAIL DATE		DELIVERY MODE		
10/16/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/800,461

Applicant(s)

BRECK ET AL.

Examiner

JOHN M. WINTER

Art Unit

3685

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22, 24, 25, 31, and 56-72 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22, 24, 25, 31, and 56-72 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Acknowledgements

1. The Applicants amendment filed on July 2, 2008 is hereby acknowledged, Claims 22, 24, 25, 31, and 56- 72 remain pending .

Response to Arguments

2. The Applicants arguments filed on January 14, 2008 have been fully considered.

The Examiner states that the Arnes reference has been withdrawn. Upon further consideration of the prior art record the Examiner finds that the amended features of "processing the settlement information in an accounts receivable system, wherein the processing includes identifying the primary account that is associated with the secondary transaction number, replacing the secondary transaction number with the primary account number, and generating a billing statement that includes at least the primary account number" is disclosed by the walker reference. See following rejection .

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 22, 24, 25, 31, and 56- 72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker (US Patent 6,163,771) in view of Flitcroft et al. (US Patent Application Publication 2003/0028481) and further in view of Pitroda (US Patent Application Publication 2003/0115126).

3. As per claim 22,

Walker ('771) discloses a computer-implemented method for facilitating a transaction, comprising the steps of:

identifying, via a host computer, a primary account;(Column 6, lines 54-59)
generating, via the host computer, a secondary transaction number that is configured to facilitate a transaction;(Column 6, lines 29-38 [.. generates a single use credit card number])

associating, via the host computer, the secondary transaction number with the primary account;(Column 6, lines 46-49 [..maps the single use credit card number onto a conventional credit card account])

issuing the secondary transaction number to a first party to facilitate the transaction with a second party, wherein the secondary transaction number is configured to be immediately usable for facilitating the transaction with the second party;(Column 6, lines 30-38 [.. generates a single use credit card number])

processing the settlement information in an accounts receivable system, wherein the processing includes identifying the primary account that is associated with the secondary transaction number, replacing the secondary transaction number with the primary account

number,(column 6, lines 39-53) and generating a billing statement that includes at least the primary account number (Figure 14).

Walker ('771) does not explicitly disclose determining whether conditions-of-use parameters associated with the secondary transaction number are satisfied, the conditions-of-use parameters defining at least a predetermined restriction on use of the secondary transaction number;returning, via the host computer, an approval code to the second party, when the conditions-of-use parameters associated with the secondary transaction number are satisfied.

. Flitcroft et al (481) discloses determining whether conditions-of-use parameters associated with the secondary transaction number are satisfied, the conditions-of-use parameters defining at least a predetermined restriction on use of the secondary transaction number;returning, via the host computer, an approval code to the second party, when the conditions-of-use parameters associated with the secondary transaction number are satisfied.(Figure 3, 7 and15) It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Walker et al. method with the Flitcroft et al (481) method in order to promote secure online commerce.

Walker ('771) does not explicitly disclose receiving transaction information from the second party for authorization; forwarding, via the host computer, the transaction information to a card authorization system for authorization processing; processing the transaction information with the card authorization system, wherein the card authorization system determines whether the transaction information includes the secondary transaction number and, when the secondary transaction number is included in

the transaction information, interfaces with a secondary transaction number system to determine whether authorization is appropriate, wherein authorization determination includes: retrieving account information associated with the secondary transaction number.

Pitroda ('526) discloses receiving transaction information from the second party for authorization; forwarding, via the host computer, the transaction information to a card authorization system for authorization processing; processing the transaction information with the card authorization system, wherein the card authorization system determines whether the transaction information includes the secondary transaction number and, when the secondary transaction number is included in the transaction information, interfaces with a secondary transaction number system to determine whether authorization is appropriate, wherein authorization determination includes: retrieving account information associated with the secondary transaction number.(Paragraph 98) It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Walker et al. method with the Pitroda method in order to promote secure online commerce.

4. Claims 24, 25, 31, 32, 56 and 57-72 are not patentably distinct from claim 1 and are rejected for at least the same reasons.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN M. WINTER whose telephone number is (571)272-6713. The examiner can normally be reached on M-F 8:30-6, 1st Fridays off. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Calvin Hewitt can be reached on (571) 272-6709. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JMW
/Calvin L Hewitt II/
Supervisory Patent Examiner, Art Unit 3685